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A Work Session Meeting of Mayor and Council was convened at 7:00 p.m. on April 18, 2011 in Council Chambers of Borough Hall with Mayor Dempsey presiding.

Mayor Dempsey related that this meeting is being held in accordance with the Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press on December 21, 2010.

ROLL CALL: Present: Council Members Connolly, Donovan, Grasso, McCarthy

Council Member Lee arrived at 7:04 p.m.

Absent: Council Member Lucas

Also Present was Borough Administrator Joseph DeIorio and Borough Attorney Mark Kitrick

ITEM #1 Use of Borough Property:

***PBA Fishing Contest – May 7, 2011**

Council Member Connolly made a motion to approve this request, seconded by Council Member McCarthy. Motion carried unanimously.

***MBLL Parade – April 30, 2011**

Council Member Grasso made a motion to approve this request, seconded by Council Member McCarthy. Motion carried unanimously.

***Clean Ocean Action Beach Sweeps – 4/30/11 and 10/22/11**

Council Member Donovan stated that the committee was able to clear up a matter regarding a hold harmless agreement and insurance certification for Clean Ocean Action which precluded the Borough from participating with them last year. He stated that last year the Borough had their own beach sweep but the matter has been cleared up and Clean Ocean Action is back on board with the Borough which affords the Borough some advertising opportunities and a few other things which are provided by them as part of their program to clean up the beach.

Council Member McCarthy stated that is in conjunction with the Manasquan Environmental Commission.

Council Member Donovan made a motion to approve this request, seconded by Council Member McCarthy. Motion carried unanimously.

***East Sunrise Service – 4/24/2011**

Council Member Connolly made a motion to approve this request, seconded by Council Member Donovan. Motion carried unanimously.

***Make-A-Wish Foundation Walk-a-thon – 9/17/2011**

Council Member Donovan made a motion to approve this request, seconded by Council Member McCarthy. Motion carried unanimously.

***River to Sea Relay – 7/30/2011**

Council Member Connolly made a motion to approve this request, seconded by Council Member Lee. Motion carried unanimously.

***Hook & Ladder, Co. #1 Coin Toss – 5/28, 7/2, and 9/3/2011**

Council Member Donovan made a motion to approve this request, seconded by Council Member Lee. Motion carried unanimously.

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ITEM #2 Manasquan Tourism Commission – 125th Anniversary of Manasquan

Mayor Dempsey read a statement from the Manasquan Tourism Commission who would like to celebrate the anniversary with a boat parade at Manasquan Inlet similar to the one that was organized to celebrate the 75th Anniversary of the Inlet. He stated that the Commission will set a definite date right after the first of the year or sooner if the tide tables are received for 2012.

Council Member Connolly asked if there is going to be a committee that is going to be involved in the whole celebration or is the Tourism leading that committee?

Council Member Donovan stated that there will be a committee for the 125th Anniversary of Manasquan with the first meeting on May 9, 2011 at 7 p.m. here at Borough Hall and anyone is invited to attend.

Mayor Dempsey stated that at the last meeting he appointed Council Member Donovan as the liaison for that committee.

Council Member McCarthy stated that the Tourism position's was that the parade would be one event and then in October, the actual anniversary of the charter, there is going to be various events. He stated that there are various groups that are interested in participating in this anniversary.

Council Member McCarthy made a motion to approve the request of the Tourism Commission to have a boat parade, with a date to be supplied, seconded by Council Member Grasso. Motion carried unanimously.

ITEM #3 Acknowledge and Acceptance of Tax Collectors and CFO Monthly Reports

Council Member Connolly made a motion to acknowledge and accept the Tax Collectors and CFO Reports, seconded by Council Member Grasso. Roll call was taken and the motion carried unanimously.

ITEM #4: Encroachment Fees - Discussion

Mr. DeIorio stated that this issue came about when looking at ways to generate revenues for the Borough and discussion with the Municipal Clerk it was discussed that the Borough does not have late fees related with the encroachments that individuals in the municipality pay to the Borough. He stated that what the Clerk's office has been experiencing late payment and the office has been spending time trying to collect this money due the Borough. He stated that in light of some of the new encroachment fees becoming due he is asking the Governing Body to consider imposing a late fee, similar to late fees imposed on late payments of property taxes. He stated that there is a resolution for tonight for the Governing Body's consideration.

Mayor Dempsey asked that Mr. DeIorio explain the penalties.

Mr. DeIorio stated that the penalties are 8% on the first \$1,500 and then 18% above that. He stated that there will be a 10 day grace period similar to property taxes. He advised that if the individual does not pay their encroachment fee within the ten (10) days, on the eleventh (11th) day the interest is calculated back to the first day, the same as the property taxes.

Council Member McCarthy suggested trying to get all the encroachment due dates to start on the calendar year.

ITEM #5: Water Interconnection with Brielle - Discussion

Mr. DeIorio stated that some time ago the Borough Engineer had reported that the Superintendent of Public Works and the Engineer went to the various interconnections and at this particular location there is a section where there is no adjoining pipe at the interconnection.

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Mr. Gimmel from T&M Associates went over the process to determine how much water Brielle could supply water to the Borough if needed.

Mr. DeLorio stated that this was reported on the April 4, 2011 Engineer's report that was distributed to all Council Members. He advised that the reason that he is bringing this up is that the part of the report that indicated that the Borough was going to search for the means to finance this particular interconnection. He stated that although there is no line item in the water/sewer budget for this there are capital improvement funds that can be used for this. He advised that in order for this to happen the Governing Body would have to pass an ordinance and if the council wishes to proceed the ordinance can be ready for introduction at the next meeting.

Mayor Dempsey stated that it is a great idea because you never know when the Borough will have to use this and right now there is no way that it can be used. He stated that he believes it should be under a capital improvement.

Mr. DeLorio stated that the Superintendent of Public Works has been looking at each interconnection and looking at improvements as well as some issues that are at some of the other locations.

Mayor Dempsey stated that this will be held for the Regular meeting where a motion can be made to start the process for a Bond Ordinance.

Mr. DeLorio stated for the public's information that the Borough is not financing the project, it is being financed through a Capital Improvement Fund which are funds the Borough already has available. He stated that there will be no interest costs to this project.

Council Member Connolly asked that it will not exceed that \$9,280.00.

Mr. DeLorio stated that the amount is the bid amount. He advised that it would not be anymore than \$9,280.00.

Council Member Donovan made a motion to allow the Administrator to proceed with the preparation of a bond Ordinance for the interconnection, seconded by Council Member Grasso. Roll call was taken and the motion carried unanimously.

ITEM #6: Glimmer Glass Assessment Phase I Hearing Date – June 20, 2011

Mr. DeLorio updated the Council on the Glimmer Glass Project and advised that the next step is to hold an assessment hearing. He stated that June 20, 2011 is the date he recommends for this hearing.

Council Member Connolly made a motion to accept June 20, 2011 as the hearing date, seconded by Council Member McCarthy. Motion carried unanimously.

**ITEM #7: Closure of Brielle Road (Bridge work) starting April 25, 2011
up to 3 weeks**

Mayor Dempsey stated that the Brielle Road Drawbridge will be closed for up to 3 weeks for repairs

Mr. DeLorio stated that he was advised by Monmouth County that there will be repair work done including some pin replacement.

Council Member Connolly wanted to know if there are any major issues that the Borough should be aware.

Mr. DeLorio advised that it was expressed to him that it is a repair that needs to be done.

Council Member McCarthy inquired about the time frame because it is getting close to the beach season.

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Mr. DeIorio stated that it was expressed to him that more than likely but not definitely it could be 2 weeks and the Borough is telling the public 3 weeks just in case it is longer. He stated that this information is on the Borough website and should be put in the paper.

ITEM #8: Wells #2 and #6 Inspections – Discussion

Charles Rooney and Joseph Gimmel from T&M Associates reported on the condition of the wells as well as discussion for their request for additional funding for engineering work as stated in the T&M Associates letter dated April 15, 2011.

Mr. Gimmel went over the site plan for the Water Treatment Plant for the wells. He stated that one of the items that was unanticipated was utility conflicts with the sanitary sewer line. He stated that this part had to be re-designed to allow the contractor to continue with the installation of sanitary sewer. He stated that there was an issue where a water line was re-routed around the new structure and tied into the existing water line. He also stated that there were utility conflicts in that area where the physical connection to the existing water main and there had to be a bi-pass. He advised that this was an unforeseen condition due to the location of fittings and valves and existing water mains in that area. He continued with the unanticipated items that change orders were drawn up for.

Mr. Rooney went over the letter dated April 15, 2011 advising that the letter as written reflects costs incurred by T&M to date on those items and in the interest in helping the Borough out and reducing the impact he is going to reduce the RFI extra request from \$15,200 to \$7,100.

Council Member Donovan stated that it was requested that the procedure be tightened up for request for information.

Mr. Rooney stated that he will have a meeting with the contractor to let him know that he needs to get familiar with the bid documents.

Council Member Grasso asked where all the change requests are and orders coming from that all these different things are coming up, a tank underneath the ground, sewer line underground.

Mr. Gimmel stated that those are conditions that certainly could not be anticipated during the design or prior to construction. He advised that no one knew that there was an underground tank.

Council Member Grasso stated "there were no other plans from when this thing was built in this town as far as where things were located."

Mr. Gimmell stated that "this plant goes back to 1909."

Mr. Rooney stated that he had all the plans that the Borough had and he believes that the best was done with the available data. He stated that there were tank removals at the Water Treatment Plant back in the late 80's. He advised that he thought that all the underground storage tanks had been removed. He stated that this was truly something that was uncovered that no one knew was there and it was not reflected in the bid. He stated that this is generating a change in the bid cost for this extra item.

There was discussion on the amount of money that T&M is requesting for their services.

Mayor Dempsey asked if there any questions from the Council with regards to the first letter from T&M Associates dated April 15, 2011.

Mr. DeIorio stated that at some point prior to the vote on the resolution the amount will have to be amended to \$36,900 if council wishes to accept that.

Mr. Rooney went over the second letter from T&M Associates dated April 15, 2011. He stated that the inspection of the wells prior to the project was not an oversight and that the approach to this project was to try and minimize risk and cost. He stated that he researched the Borough records and there were annual inspections of all 4 wells, reports

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that were done by an outside firm, and in reviewing the records of all 4 wells reviewed the performance of the wells, quality of water and all indications were that the wells were functioning properly. He stated that the initial thought was that the wells are operating in a good fashion and there are no known problems. He advised that in the design of the water treatment plant there is a different set up on the wells from the existing water plant. He advised that the existing wells have a pump and a motor in each well casing that supplies water to the plant and basically lifts the water out of the ground and puts it into a settling basin. The water plant then has a second pump that lifts the water up into the water tank. He stated that the water pumping occurs twice and the design of the new water treatment plant is looking to reduce the amount of pumping to a 1 pump episode. He stated that upgrading these wells for the new water treatment plant new stronger motors and new pumps were needed. He stated that in looking at how to effect a transition from the old plant to the new, he knew that when the wells were touched in order for them to function on the new plant they would need to be upgraded in terms of internal mechanisms. He advised that the pumps and motors would need to be replaced. He stated that in light of the data that he had that the wells were functioning in an acceptable fashion we staged our investigation of wells at the later end of the project because he was looking to touch the wells once.

Mr. Gimmell went over the scope and process of inspecting a well and he advised that an inspection of the well would have cost \$15,000 for each well which would not be covered under the NJEIT. He stated that wells 2 and 6 were inspected and well 5 was not done and well 7 was done in the past few years.

There was a discussion on the age of each of the wells and the purpose for starting this project.

There was a discussion on the funding of the wells.

Mr. DeLorio stated that the discussion for this meeting is simply to discuss Wells 2 and 6. He advised that the Council is not awarding any contract to Patock for additional work. He stated that the Borough can not go to Patock until the Council authorizes the engineer to move ahead.

Council Member Donovan stated that either way the work has to be done.

Mr. Rooney stated that the other topic was solar panels and it was decided this afternoon that more research will be done for an option for the Borough.

Council Member Connolly made a motion to suspend the work session at 8:09 to go into closed session, seconded by Council Member McCarthy. Motion carried unanimously.

ITEM #9: Review of Resolutions for Consideration at the Regular Meeting

Mayor Dempsey asked if there were any questions from the Council on the Resolutions scheduled for the Regular meeting.

There were none.

COMMITTEE REPORTS

Committee reports were held until the Regular Session Meeting.

AUDIENCE PARTICIPATION

Council Member Lee made a motion to open the meeting up to the audience, seconded by Council Member McCarthy. Motion carried unanimously.

Ed Hyer, 56 Second Ave., advised that he was appreciative of the well investigation process. He stated that he was dissatisfied with broad general statements like utility conflicts with the location. The utilities should be well identified before the work starts. He stated that he hopes that there is a better answer at an appropriate time. He stated that believes the bill for additional money was not sufficiently or adequately justified.

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Nick Perrone, 56 S. Jackson thanked the council and the engineers for phase 1 of Glimmer Glass Project and he thinks they did a fantastic job.

Council Member Donovan made a motion to close the public portion of the work session meeting, seconded by Council Member McCarthy. Motion carried unanimously.

Council Member Donovan made a motion to close the work session meeting at 8:20 p.m., seconded by Council Member Lee. Motion carried unanimously.

The closed session portion of the minutes begins on the next page. The signature and approval date are located on the last page following the closed session meeting minutes.